

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L ABUJA 001096

SIPDIS

AF/W FOR DAN EPSTEIN

E.O. 12958: DECL: 06/24/2012

TAGS: [PREL](#) [PGOV](#) [MARR](#) [MOPS](#) [KTIA](#) [NI](#) [KICC](#)

SUBJECT: NIGERIA: ARTILCE 98 PROSPECTS LOOKING UP BUT IT'S
NOT A DONE DEAL YET

REF: (A) STATE 144906

(B) STATE 139892

(C) ABUJA 1033

(D) ABUJA 1025

(E) ABUJA 989

(F) ABUJA 905

(G) ABUJA 552

(H) ABUJA 342

(I) 02 ABUJA 2978

(J) 02 ABUJA 2972

CLASSIFIED BY A/DCM BRIAN L. BROWNE; REASONS 1.5 (B) AND
(D).

11. (C) The ad-hoc inter-ministerial committee tasked by President Obasanjo to review our proposed Article 98 agreement met Tuesday, June 17. According to a source from the Foreign Ministry who attended the session, committee members decided to recommend to President Obasanjo that Nigeria conclude an Article 98 agreement with the U.S. We were informed that a position paper was being prepared, forwarding the committee's positive recommendation to Obasanjo. While the recommendation was positive, the committee's report would also present some questions about Article 98 that committee members believed needed to be addressed before Nigeria signed an agreement. We were not told what those questions might be, but understand that the GON would forward the questions to us once Obasanjo has reviewed the committee's report.

12. (C) We do not know if the committee's report has been forwarded to the President, but the Nigerians are well aware of the July 1 deadline.

13. (C) In our recent meeting with President Obasanjo, he reiterated his desire to see the issue "behind him." Obasanjo also asserted that if Article 98 could protect a Nigerian peacekeeper being brought before the ICC he would support signing an agreement. While the Nigerians have not provided formal notification that they would sign an Article 98 agreement, the news of the committee's recommendation and its consistency with the President's statements of support make the prospects for a timely Article 98 agreement look significantly better than they did several weeks ago.

JETER